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November 1, 2010

TO:

Deeded Cottage Site Owners
Cottage Site Plan: Step #1 Lot Solutions Process Information

Idaho Department of Lands [IDL], on behalf of the State Board of Land Commissioners [Land Board], is providing deeded cottage site owners with information about Step #1 - Lot Solutions Process that is underway. As you know, numerous leased cottage sites still exist today and have been the focus of many discussions by the Land Board. On February 16, 2010, the Land Board directed IDL to develop a process to unify the ownership of cottage sites at both Payette and Priest Lakes. Step #1 of the process includes the analysis of existing conditions of both leased and deeded cottage sites and identification of any tasks that may be needed to provide clear declarations regarding the use and maintenance of common/reserve areas and roads for the deeded properties.

The analysis that has been completed will allow a proactive approach to addressing access, common/reserve areas and subdivision platting in the best interest of all; the beneficiaries, the lessees and deeded property owners. The preservation of the long-term value of the State Trust Lands, as well as the continued use and enjoyment of both leased and deeded cottage sites are positive outcomes of this approach. IDL seeks to work closely with cottage site lessees and deeded owners throughout this process so that a common understanding of the uses, rights and responsibilities is established.

Let's take a closer look at some of the observations that have been made during the review of existing conditions:

1. Property Boundaries/Common Areas: In numerous areas the use of land does not match the formal property boundaries identified on paper. Various encroachments occurring on common areas leased and deeded cottage sites, and other IDL lands. The Lot Solutions Process will clarify individual lot boundaries and create and/or adjust property boundaries or plats to erase ambiguities for adjacent deeded lot owners and enhance the value of both the State Trust Land and privately owned properties. In some instances, IDL may request that a surveyor be provided permission to enter a deeded cottage site owner's property in order to accurately survey roads

and boundaries. Coordination with deeded cottage site owners for access to their property will be completed prior to survey work beginning.

2. Access: Unlike residential subdivisions in urban or suburban areas, where major infrastructure improvements (roads, utilities, storm water detention facilities, etc.) help to define property boundaries and usage; the cottage sites at Priest and Payette Lakes have been shaped more by the practical needs of the residents and the natural terrain. In some cases the result of this organic development has been the creation of informal or unrecorded “roads” crossing multiple property ownerships and leases that have become primary access routes to both leased and deeded lots. While the informal nature of the roads and paths throughout these areas contributes to their character, access must be clearly defined for purposes of marketing the property. The Lot Solutions Process will resolve these circumstances by identifying establishing formal access roads and driveways.
3. Deeds/Plats: Approximately 200 cottage sites have been conveyed to individuals since 1926. Some of these deeds included references to plats that may or may not have been properly created or recorded. As part of the Lot Solutions Process, IDL will be plating or re-plating the impacted State Endowment Trust Land as needed depending upon the results of the survey work to be completed during the summer of 2011. Amended property deeds may need to be issued depending upon the results of the survey work. There are many benefits that will result from completing this work: 1) clarifying access points, 2) ensuring that all easement documents for utility locations are correct; 3) documenting roles and responsibilities for common or reserve areas; and 4) adjusting property boundaries in instances where encroachments are present.

IDL has been directed by the Land Board to prepare a Lot Solutions Process that includes the following activities to further assess the situation:

1. Survey property boundaries, roads, utilities and easements associated with the leased cottage sites at both lakes.
2. Identify potential areas of encroachment with regard to property boundaries and roadways.
3. Work directly with lessees and deeded lot owners to resolve access, boundary and common area use.
4. Create and/or adjust and record State Trust Land boundaries, plats, access easements and/or utility easements.
5. Amend and record any state issued deeds as needed during the Lot Solutions Process.

This is the beginning of the Lot Solutions Process and there is a good deal of work to be completed. You might be wondering what role a deeded owner may have in this process. The questions and answers below may be of some help -

Questions:

- What is this going to cost me? IDL does not anticipate any costs for field work being passed on to the lessees or deeded lot owners.
- How long will this take? Much depends upon the location of the cottage site. Cottage site locations will be addressed in the following order 1) Pilgrim Cove, 2) remainder of

Payette Lake and 3) Priest Lake. It is anticipated that it will take approximately 18-24 months to address all the locations.

- Is there any information needed from me? At this point it would be most helpful for you to relate any situations that occur in the area of the deeded cottage site that might be helpful to this process. Watch for periodic updates from IDL.
- Contact: For any additional questions call Kate Langford or Mike Murphy at 208-334-0200. Or you can send an email to CottageSitePlan@idl.idaho.gov

A reference map is enclosed with this letter to provide a graphic representation of the leased cottage site and its general vicinity. We are also asking for your assistance in providing observations of access, easement or common/reserve area items that may need to be addressed during this process. Your feedback is appreciated and a comment form is enclosed for your use.

Through this type of proactive engagement, we are hopeful that the interests of all stakeholders can be addressed. Thank you for your time. IDL will provide quarterly updates on the progress of the Lot Solutions Process beginning in March 2011.

Sincerely,

George Bacon
Director

Enclosure: Reference Map
 Comment Form